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DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the application filed on 09/22/03. Claims 1-

18 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Inoue et al. (7,188,137) in view of Freedman et al. (2004/0249650).

(A)   As per claim 1, Inoue discloses a one-to-one business support system

comprising: a storage device that stores customer attribute information indicating an

attribute of a customer and purchase information indicating a commodity purchased by

the customer (See Inoue, Col.8, lines 54-67 to Col.9, line 2); and a server that provides

the application program to said client computer (See Inoue, Fig. 11; Col.14, lines 50-67

to Col.15, line 14).

    Inoue does not explicitly disclose a client computer that executes an application

program to perform a first function of narrowing down a customer who satisfies a

predetermined condition based on the customer information stored in said storage

device, a second function of deciding a plan of an action that is performed to the

customer narrowed down for each customer, a third function of issuing a relation tool for executing the decided plan, and/or a fourth function of performing an evaluation of the action according to a predetermined criterion.

However, these features are known in the art, as evidenced by Freedman. In particular, Freedman suggests that the system having a client computer that executes an application program to perform a first function of narrowing down a customer who satisfies a predetermined condition based on the customer information stored in said storage device, a second function of deciding a plan of an action that is performed to the customer narrowed down for each customer, a third function of issuing a relation tool for executing the decided plan, and/or a fourth function of performing an evaluation of the action according to a predetermined criterion (See Freedman, Page 4, Paragraph 0038).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Freedman within the system of Inoue with the motivation of providing an apparatus for capturing and analyzing customer interactions the apparatus comprising a multi segment interaction device etc (See Freedman, Page 3, Paragraph 0015).

(B)   As per claim 2, Inoue discloses the one-to-one business support system wherein the application program provided by said server includes a program that causes said client computer to execute a fifth function of creating a script that defines the contents of the relation tool in a personalized form for each customer, and a sixth function of issuing

the relation tool by instructing said server to output the relation tool having the contents

according to the script, wherein said server includes an output device that outputs the

relation tool according to the instruction of said client computer (See Inoue, Col.8, lines

38-67; Col.14, lines 64-67 to Col.15, line 14).

(C)   As per claim 3, Inoue discloses the one-to-one business support system wherein

said server includes a printer that prints the relation tool having the personalized

contents for each customer according to an instruction of printing supplied from said

client computer (See Inoue, Col.14, lines 26-67).

(D)   As per claim 4, Freedman discloses the one-to-one business support system

wherein said client computer includes a main office terminal and a shop terminal, and

said main office terminal includes an output device that presents at least a part of

information used in executing the first to fourth functions to an operator in a

recognizable form, and said shop terminal includes an output device that presents at

least a part of information used in executing the fifth and sixth functions to an operator

in a recognizable form (See Freedman, Page 4, Paragraph 0038; Page 5, Paragraph

0039).

(E)   As per claim 5, Freedman discloses the one-to-one business support system,

wherein the output device of said shop terminal obtains and/or stores customer attribute

information of a customer, information indicating a rank when the customer is ranked on

a predetermined criterion, information indicating a commodity purchased by the
customer in the past and information indicating a history of a relation with the customer,
and outputs any one of these information items that confirms to a condition designated
by the operator (See Freedman, Page 4, Paragraphs 0038-0040).

(F)   As per claim 6, Freedman discloses the one-to-one business support system
wherein the action includes any one or more of an action of an event system that
encourages the customer to come to the shop to improve sales promotion, an action of
a calendar system that deepens the relationship with the customer to make the
customer a regular customer to improve customer loyalization and an action of a shop
service system that deepens the relationship with the customer at the shop to improve a
sales rate or suggest coordinates (See Freedman, Page 7, Paragraphs 0043-0044).

(G)   As per claim 7, Freedman discloses the one-to-one business support system
wherein the action of the event system includes an action that issues a relation tool that
transmits a message to the customer on a one-to-one basis, hereby sending a guide for
a sales promotion to the customer, the action of he calendar system includes an action
that issues a relation tool according to a calendar preset for each event, and the action
of the shop service system includes an action that presents the contents of a
personalized script to a person to be served (See Freedman, Page 12, Paragraphs
0059-0060).

(H)   As per claim 8, Inoue discloses the one-to-one business support system wherein

said client computer captures language information indicating words uttered by the

customer and present the language information to an operator in a predetermined form

that the operator can recognize (See Inoue, Col.14, lines 49-67 to Col.15, line 14).

(I)   As per claim 9, Inoue discloses the one-to-one business support system wherein

the relation tool includes at least any one of DM (Direct Mail), facsimile, e-mail, and

telephone (See Inoue, Col.28, lines 30-43).

(J)   As per claim 10, Inoue discloses the one-to-one business support system

wherein the application program provided by said server includes a program that

causes said client computer to perform a function of specifying a frequency of which the

customer conducts a business transaction at the shop based on the customer attribute

information to predict a day when the customer comes to the shop based on the

frequency, and a function of detecting an arrival of a predetermined time decided based

on the predicted day to perform an output of a message that encourages execution of

the action and/or an issue of an relation tool relating to the action (See Inoue, Fig.20;

Col.12, lines 4-48; Col.25, lines 34-67; Col.28, lines 5-44).

(K)   As per claim 11, Freedman discloses the one-to-one business support system

wherein the application program provided by said server includes a program that

causes said client computer to perform a function of obtaining purchase information at

multiple points in time in connection with persons, who are customers at least any of the

multiple points in time, to classify the respective customers at the multiple points in time

into any of multiple ranks according to a predetermined criterion based on these

purchase information and a function of specifying a variation in a customer rank, the

number of newly enrolled customers and/or the number of withdrawn customers based

on a result of the classification to output information indicating a specified result (See

Freedman, Page 15, Paragraph 0064).

(L)   As per claim 12, Freedman discloses the one-to-one business support system

wherein the application program provided by said server includes a program that

causes said client computer to perform a function of extracting a customer according to

a predetermined condition based on the customer attribute information and/or purchase

information and a function of generating data indicating at least any parameter of the

number of extracted customers, a frequency of which the corresponding customer

purchases a commodity, a type of a commodity purchased by the corresponding

customer, a sales amount per one corresponding customer, the number of purchased

commodities per one corresponding customer and a unit price of the commodity

purchased by the corresponding customer and data indicating a time transition of the

parameter value based on the customer attribute information and/or purchase

information (See Freedman, Page 6, Paragraph 0040).

(M)   As per claim 13, Inoue discloses the one-to-one business support system

wherein said server provides the application program by executing an ASP (Application Service Provider) service (See Inoue, Col.14, lines 50-62).

(N)　　As per claim 14, Inoue discloses the one-to-one business support system further comprising a card reader that reads customer attribute information and/or purchase information from a magnetic card or an IC (Integrated Circuit) card to obtain the customer attribute information and/or purchase information or a POS (Point OF Sales) register that obtains customer attribute information and/or purchase information according to an operation from an operator, wherein said card reader and said POS register are connected to said storage device via a communication line, and the obtained customer attribute information and/or purchase information is supplied to said storage device and stored therein (See Inoue, Fig.2, Col.13, Lines 39-67 to Col.14, line 62).

(O)　　As per claim 15, Inoue discloses the one-to-one business support system wherein said server includes a web server and the web server provides data to said client computer that functions as a client machine via a network according to a communication procedure where security is ensured (See Inoue, Col.15, lines 4-28).

(P)　　As per claim 16, Inoue discloses the one-to-one business support system further comprising a database server connected to said storage device via a communication line where security is ensured, wherein said database server and said application server

are connected to each other via a firewall to form a security capsule zone (See Inoue, Fig.1; Fig.13, Col.15, lines 4-52).

(Q)   Claim 17 differs from claim 1 by reciting a computer data signal embedded in a carrier wave that indicates a program for causing a computer to function.

As per this limitation, it is noted that Inoue discloses a storage device that stores customer attribute information indicating an attribute of a customer and purchase information indicating a commodity purchased by the customer (See Inoue, Col.8, lines 54-67 to Col.9, line 2) and Freedman discloses a client computer that executes an application program to perform a first function of narrowing down a customer who satisfies a predetermined condition based on the customer information stored in said storage device, a second function of deciding a plan of an action that is performed to the customer narrowed down for each customer, a third function of issuing a relation tool for executing the decided plan, and/or a fourth function of performing an evaluation of the action according to a predetermined criterion and a server that provides the application program to said client computer (See Freedman, Fig.7; Page 4, Paragraph 0038; Page 17, Paragraph 0080).

Thus, it is readily apparent that these prior art systems utilize a computer data signal embedded in a carrier wave that indicates a program for causing a computer to perform their specified function.

The remainder of claim 17 is rejected for the same reason given above for claim 1, and incorporated herein.

(R)   Claim 18 differs from claims 1 and 17 by reciting a computer-readable storage

medium having a program recorded thereon.

As per this limitation, it is noted that Inoue discloses said program causing a computer

to function as a storage device that stores customer attribute information indicating an

attribute of a customer and purchase information indicating a commodity purchased by

the customer (See Inoue, Col.8, lines 54-67 to Col.9, line 2) and Freedman discloses a

client computer that executes an application program to perform a first function of

narrowing down a customer who satisfies a predetermined condition based on the

customer information stored in said storage device, a second function of deciding a plan

of an action that is performed to the customer narrowed down for each customer, a third

function of issuing a relation tool for executing the decided plan, and/or a fourth function

of performing an evaluation of the action according to a predetermined criterion and a

server that provides the application program to said client computer (See Freedman,

Fig.7; Page 4, Paragraph 0038; Page 17, Paragraph 0080).

        Thus, it is readily apparent that these prior art systems utilize a computer data

signal embedded in a carrier wave that indicates a program for causing a computer to

perform their specified function.

        The remainder of claim 18 is rejected for the same reason given above for claims

1 and 17, and incorporated herein.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure. The cited but not the prior art teaches system and method for
updating shopping transaction history using electronic personal digital shopping
assistant (6,129,274), method and apparatus for offering coupons during a transaction
(2004/0138953), method and system for generating incentives based on substantially
real-time product purchase information (6,292,786) and system and method for dynamic
assembly of packages in retail environments (6,138,105).

        Any inquiry concerning this communication or earlier communications from the
examiner should be directed to VANEL FRENEL whose telephone number is (571)272-
6769. The examiner can normally be reached on 6:30am-5:00pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

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/Vanel Frenel/
Examiner, Art Unit 3687
June 07, 2008